

ASSEMBLY BILL

No. 1234

Introduced by Assembly Member McCarty

February 27, 2015

An act to amend Section 12174 of the Government Code, relating to state archives.

LEGISLATIVE COUNSEL'S DIGEST

AB 1234, as introduced, McCarty. State Archives: museum activities.

Existing law requires the Secretary of State to administer the State Archive Building Complex. Existing law authorizes the Secretary of State to enter into an operating agreement with the Golden State Museum Public Benefit Corporation to operate a museum in the State Archives Building Complex.

This bill would make a nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12174 of the Government Code is
- 2 amended to read:
- 3 12174. (a) The Secretary of State shall administer, protect,
- 4 develop, and interpret the Secretary of State and State Archives
- 5 Building Complex located in Sacramento in the area bounded by
- 6 10th, 11th, O, and P Streets as authorized by Section 12235 for
- 7 the use, education, and enjoyment of the public.
- 8 (b) The Secretary of State may enter into an operating agreement
- 9 with the Golden State Museum Public Benefit Corporation

1 (GSMPPBC), formerly known as the California Archives
2 Foundation, an existing California nonprofit public benefit
3 corporation, tax exempt under Section 501(c)(3) of the United
4 States Internal Revenue Code, or its successor. Under the operating
5 agreement with the Secretary of State (including the State
6 Archives), the corporation shall operate a museum located in the
7 Secretary of State and State Archives Building Complex, including
8 development, administration, interpretation, and management of
9 the museum and related public services, and acquiring and
10 managing funding for the museum's programs and services.
11 Secondly, the corporation may support the ~~programs and~~
12 ~~operations~~ *operations and programs* of the State Archives.

13 (c) The governing board of the corporation shall include the
14 Secretary of State or any Assistant Secretary of State designated
15 by the Secretary of State and the Director of Parks and Recreation
16 or his or her designee as ex officio voting members of the board.
17 The board shall be the governing authority for operations funded
18 through moneys received by the museum. The board shall submit
19 an audit report annually to the Secretary of State. The Secretary
20 of State shall submit copies of the annual audit reports to the
21 Director of Finance, the Chair of the Joint Legislative Audit
22 Committee, and the Chair of the Joint Legislative Budget
23 Committee. No funds raised or assets acquired by the corporation
24 shall be used for purposes inconsistent with support of the museum
25 and the State Archives.

26 (d) No later than January 10 of each year, the corporation shall
27 submit the corporation business plan for the following fiscal year
28 to the Director of Finance and the Chair of the Joint Legislative
29 Budget Committee for review and comment. The executive director
30 of the corporation shall also submit, not less than 30 days prior to
31 adoption by the governing board of the corporation, any proposed
32 formal amendments to the corporation business plan to the Director
33 of Finance and the Chair of the Joint Legislative Budget Committee
34 for review and comment.

35 (e) Fees charged to members of the public for copying,
36 reproduction, and other services provided by the State Archives
37 shall be at a level consistent with the costs of providing these
38 services. The Secretary of State may establish an agreement with
39 the corporation to provide these services and collect moneys for
40 providing these services.

1 (f) Notwithstanding any other provision of law, the GSMPBC,
2 or its successor, is a private nonprofit corporation and shall not be
3 considered a state, local, or other public body for any purpose.

4 (g) The Legislature encourages the governing board of the
5 corporation to conduct its meetings in an open manner, establish
6 a board membership that is representative and reflective of
7 California's rich history, and work cooperatively with the Secretary
8 of State to ensure public input, confidence, and accountability in
9 the museum's use of its resources and the protection of California's
10 priceless archives, collections, and artifacts.

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